

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA **RECEIVED**

UNITED STATES OF AMERICA)

Plaintiff,)

vs.)

MARQUISE ANTOINE REYNOLDS)

Defendant.)

2006 JUL 28 P 2:15

ETTERA B. BASKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA.

Case No.: 2:06cr64-MHT

MOTION TO CONTINUE TRIAL

COMES NOW, Defendant Marquise Antoine Reynolds, by and through his undersigned counsel and hereby move this Honorable Court for a continuance of the trial and jury selection set for August 7, 2006. In support thereof, defendant shows the Court as follows:

1. The defendant needs additional time to negotiate with the government any likely change of his not guilty plea. The deadline for giving the Court Notice of Intent to Change Plea was July 26, 2006. The defendant was unable to make that deadline because there were pending motions for suppression which in the case of this defendant a ruling was issued July 20, 2006 and the same was not received by the undersigned counsel until he visited with the defendant at the Montgomery City Jail on Sunday evening, July 23, 2006. Counsel did not receive the order e-file. The defendant gave counsel a copy that he received via mail at the jail. Any objections by the defendant are due on or about July 31, 2006 which is only a week before the scheduled trial date. Defendant submits that he is not being afforded adequate time to negotiate with the government any possibly plea agreement.

2. The court's granting the requested continuance will not cause opposing counsel or the defendant any undue prejudice. Indeed, the undersigned counsel has conferred with both opposing counsel and the defendant regarding a continuance and there is no objection. There is a co-defendant to this case, namely Deandre Twain Lewis, and he has also sought a continuance. The defendant has

contemporaneously filed herewith a notice of waiver of speedy trial and a waiver of speedy trial.

3. Further, with all candor, the undersigned counsel has a family interest in a continuance because his children return to school on August 14th for the forth coming 2006-2007 academic year. Counsel would like to do something with them before they return to school, such as taking them to New York for a performance on Broadway, as requested by my daughter.

Respectfully submitted,

Amardo Wesley Pitters, Esquire
Attorney for the Defendant
Alabama State Bar No.: 8989-T64A

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on this the 28 day of July, 2006, a copy of the foregoing was duly served upon the following:

Hon. A. Clark Morris
Assistant United States Attorney
Office of the United States Attorney
Criminal Division
Middle District of Alabama
Post Office Box 197
Montgomery, Alabama/ 36101-0197

via United States Postal Service.

Amardo Wesley Pitters, Esquire